

Notice of Allowability	Application No.	Applicant(s)	
	10/003,329	XIONG, WEI	
	Examiner	Art Unit	
	Wes Tucker	2624	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed October 30th 2006.
2. ☒ The allowed claim(s) is/are 1-7, 9, 10, 12-35, 37-43, 45, 47-54 and 57-63.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| <ol style="list-style-type: none"> 1. <input type="checkbox"/> Notice of References Cited (PTO-892) 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | <ol style="list-style-type: none"> 5. <input type="checkbox"/> Notice of Informal Patent Application 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ 7. <input type="checkbox"/> Examiner's Amendment/Comment 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance 9. <input type="checkbox"/> Other _____ |
|---|--|

DETAILED ACTION

Response to Amendment

1. Applicant's after-final response filed October 30th 2006 has been entered and made of record.

2. Applicant has amended claim 41. Applicant has cancelled claims 20-25 in the present amendment. Claims 8, 11, 36, 44, 46, 55 and 56 have been previously cancelled. Claims 1-7, 9, 10, 12-35, 37-43, 45, 47-54 and 57-63 are now pending.

3. All of the above pending claims were previously allowed in the last office action filed August 31st 2006. Applicant has cancelled the only rejected claims 20-25. Therefore the application is in condition for allowance. All of the remaining Claims 1-7, 9, 10, 12-35, 37-43, 45, 47-54 and 57-63 are allowed. Reasons for allowance were given in the previous office action and have been repeated below for Applicant's convenience.

Allowable Subject Matter

4. Claims 1-7, 9-10, 12-19, 26-35, 37-43, 45-54 and 57-62 are allowed.

The following is an examiner's statement of reasons for allowance: Independent claims 1, 26, 41 and 48 have all been amended to include the features of:

...after said determining tracked positions, determining ideal positions for the features in the remaining frames in the group of pictures based on the tracked positions, said determining ideal positions comprises, for each feature:

plotting its position from the first frame and its tracked positions from the remaining frames in an X, Y coordinate graph; and
drawing a motion trajectory that connects a first plotted position from the first frame to a last plotted position from a last frame in the group of pictures,
wherein the ideal positions are located on the motion trajectory;

The reference to Van der Wal teaches determining ideal positions of a tracked object or feature point and correcting for positional offset between frames, but does not explicitly disclose drawing a motion trajectory to connect the first and last point and all the ideal points. None of the other found prior art of reference teaches or fairly suggests these explicitly recited features. Therefore independent claims 1, 26, 41 and 48 are found to be allowable along with their corresponding subsequent dependent claims.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion


5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Wes Tucker whose telephone number is 571-272-7427. The examiner can normally be reached on 9AM-5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bhavesh Mehta can be reached on 571-272-2214. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Wes Tucker

11-2-06


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